

David R. Collins, WSBA #2158
HACKETT, BEECHER & HART
1601 Fifth Avenue, Suite 2200
Seattle, WA 98101-1651
Telephone (206) 624-2200
Facsimile (206) 624-1767
Attorneys for Trinity Universal Insurance Company

The Honorable Robert H. Whaley

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON AT YAKIMA**

TRINITY UNIVERSAL INSURANCE
COMPANY,

Plaintiff,

v.

ANIMAL PHARMACEUTICALS, INC., a
Washington corporation, et al.,

Defendants.

NO. CV-07-3008-RHW

STATUS CERTIFICATE

On May 29, 2008 the case schedule for this action was vacated at the request of the parties in order to avoid the potential for prejudice to defendants in the underlying Yakima County Superior Court actions:

- *Van de Graaf Ranches, Inc., et al. v. Animal Pharmaceuticals, Inc., et al.*, Cause No. 06-2-03010-8,
- *Mark Arstein, LLC. v. Animal Pharmaceuticals, Inc., et al.*, Cause No.: 06-2-04054-5, and
- *Curtis Feedlot, Inc., et al. v. Animal Pharmaceuticals, Inc., et al.*, Cause No.: 07-2-02715-6.

Animal Pharmaceuticals is insured by Trinity Universal Insurance Company and Transcontinental Insurance Company. At the time of the last Status Certificate the Court required the parties to submit another on or before June 11, 2010. According to Dawna

Campbell of Fallon & McKinley, the firm appointed to defend the insureds in the underlying Superior Court actions, discovery is continuing but not completed. The parties hoped to mediate the cases in April, 2010. The mediation was cancelled when it became apparent discovery would not be completed by then. If the cases proceed to trial rather than settling it is unlikely that will occur before April, 2011. A mediation is likely to be scheduled late this year or early next year. As a result, we recommend that no trial schedule be set in this case and a new Certificate of Status date be scheduled.

Dated this 11th day of June, 2010.

s/David R. Collins

David R. Collins, WSBA #2158

Attorneys for Plaintiff

Hackett, Beecher & Hart

1601 Fifth Avenue, Suite 2200

Seattle, WA 98101-1651

Tel: (206) 624-2200 - Fax: (206) 624-1767

Email: dcollins@hackettbeecher.com

s/Michael E. Ricketts

Per email authorization

Michael E. Ricketts, WSBA # 9387

Attorneys for Transcontinental Insurance Co.

Gordon, Thomas, Honeywell

600 University Street, Suite 2100

Seattle, WA 98101

Tel: (206) 676-7500 - Fax: (206) 676-7575

Email: mricketts@gth-law.com

s/J. Jay Carroll

Per email authorization

J. Jay Carroll, WSBA #17424

Attorneys for Animal Pharmaceuticals Inc., Opportunity, LLC, Bruce Noyes, Heidi Meeley,

Kevin Curnutt, Rickey Betsch, Floyd Lewis and Rodney Williamson

Velikanje Halverson P.C.

405 East Lincoln Avenue, P.O. Box 22550

Yakima, WA 98907

Tel: (509) 248-6030 - Fax: (509) 453-6880

Email: jcarroll@vhlegal.com

1 s/Trevor R. Pincock

Per email authorization

2 Trevor R. Pincock, WSBA #36818

3 Michael J. Hines, WSBA #19929

4 Michael Maurer, WSBA #20230

Attorneys for Mark Arstein, LLC, Van De Graaf Ranches, Inc. & Midvale Cattle Company LLC

5 Lukens & Annis P.S.

6 717 W. Sprague Avenue, Suite 1600

7 Spokane, WA 99201-0466

Tel: (509) 455-9555 - Fax: (509) 363-2490

8 Email: mhines@lukins.com

9 Email: mmaurer@lukins.com

10 Email: tpincock@lukins.com

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
CERTIFICATE OF SERVICE

I hereby certify that on June 11th, 2010, I electronically filed the Status Certificate with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record.

Signed in Seattle, Washington this 11th day of June, 2010.

s/Linda Voss

Linda Voss

Hackett, Beecher & Hart

1601 Fifth Avenue, Suite 2200

Seattle, WA 98101

Tel: (206) 624-2200 - Fax: (206) 624-1767

lvoss@hackettbeecher.com